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2 Operating Engineers Local Union No. 3 Trust Funds - Multi-Services
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4 Attorney for Plaintiffs

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6 UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 (SAN FRANCISCO HEADQUARTERS)

9
10 GIL CROSTHWAITE, JOHN BONILLA, in) Case No.: C 06-4452 MHP
their respective capacities as Trustees of the)
11 OPERATING ENGINEERS HEALTH AND) **NOTICE OF VOLUNTARY DISMISSAL**
WELFARE TRUST FUND FOR) **WITHOUT PREJUDICE AS TO**
12 NORTHERN CALIFORNIA et al.,) **DEFENDANT INTERNATIONAL**
Plaintiffs,) **BUSINESS AND MERCANTILE**
vs.) **REASSURANCE COMPANY; ORDER**
13) **THEREON**
14)
15 K.M. JACKSON ENGINEERING, INC., a)
California Corporation, et al,)
16)
Defendants.)
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NOTICE IS HEREBY GIVEN THAT PURSUANT to Federal Rule of Civil Procedure
41(a), Plaintiffs voluntarily dismiss the above-captioned action without prejudice as to Defendant
INTERNATIONAL BUSINESS AND MERCANTILE REASSURANCE COMPANY only, and
request the Court to enter an order in conformity with their voluntary dismissal of the matter. To
date, Defendant INTERNATIONAL BUSINESS AND MERCANTILE REASSURANCE

NOTICE OF VOLUNTARY DISMISSAL;
Case No. C 06-4452 MHP

1 COMPANY was served with the complaint and summons relating to this matter, but has not
2 answered.

3 Dated this 1st day of November of 2006.
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5 OPERATING ENGINEERS LOCAL UNION
6 NO. 3 TRUST FUNDS – MULTI-SERVICES

7 By: Tracy L. Mainguy
8 TRACY L. MAINGUY
9 ATTORNEY FOR PLAINTIFFS

10 **ORDER**

11 Based upon the above and pursuant to Federal Rule Of Civil Procedure 41(a), this matter
12 is dismissed without prejudice as to Defendant INTERNATIONAL BUSINESS AND
13 MERCANTILE REASSURANCE COMPANY only.

14 Dated:

15 12/6/06



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18 MARILYN H. PATEL
19 HON. UNITED STATES DISTRICT JUDGE
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NOTICE OF VOLUNTARY DISMISSAL;
Case No. C 06-4452 MHP